OK TO ENTER: /D.S./ (01/30/2009)   Attorney's Docket No.: 13906-0165001 / 2003P00822 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Achim Kraiss   Art Unit   : 2128
Serial No. : 10/757,651   Examiner : David Silver
Filed   : January 14, 2004   Conf. No. : 3935
Title   : COMPUTING PREDICTION RESULTS

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Commissioner for Patents
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REPLY TO FINAL ACTION OF AUGUST 18, 2008

Claims 1, 3, 5-7, 11, 12, 14 and 20-31 were rejected in a final office action mailed August 18, 2008. Applicant respectfully requests the Examiner's reconsideration in view of the discussion below.

CLAIM REJECTIONS UNDER 35 U.S.C. § 101

Claims 1, 3, 5-7, 11, 12, and 21-31 stand rejected under 35 U.S.C. § 101 as being allegedly directed to non-statutory subject matter. The office action asserts that the pending claims merely recite a software algorithm which does not display, store, or otherwise provide a useful, tangible output. The office action also asserts that the claims are not drawn to a practical, real-world application. Contrary to the assertions in the office action, the pending claims recite several useful, tangible outputs that have practical, real-world application. For example, the claims recite a method that produces first and second prediction results and stores state information. As discussed in Applicant's specification, the stored state information can be used to generate prediction results that may improve interactions between call-center agents and customers. Specification, ¶ 13. Thus, the claims produce useful, tangible results that have real-world application. As such, the claims are directed to statutory subject matter, and Applicant respectfully requests that the Examiner withdraw the rejection.